



U.S. Department of Justice

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VIA ELECTRONIC FILING AND HAND DELIVERY

Honorable Noel L. Hillman
United States District Judge
Mitchell H. Cohen U.S. Courthouse
One John F. Gerry Plaza
Camden, New Jersey 08101

Re: *United States v. Santos Colon*, Criminal No. 17-119 (NLH)

Dear Judge Hillman:

Please accept this letter in lieu of a more formal response to the Defendant's Motion for Temporary Release, see Docket # 16-17, filed by the Defendant's Counsel, Christopher O'Malley, Esquire, earlier today.

The government objects to the defendant's temporary release from the facility to have dinner and attend a movie on Christmas with his family. While the government recognizes that this is a request for a temporary release of a short duration on the Christmas holiday to be with his parents, the government is concerned with the security risks associated with allowing the defendant to leave the property for a period of several hours without being accompanied by a staff member from the facility, given the nature of the charge to which the defendant has pled guilty to and the surrounding factual circumstances. I have discussed this matter by telephone today with both the defendant's counsel, Mr. O'Malley, and with the Pretrial Services Officer, Gary Pettiford. While I understand from speaking with Mr. Pettiford that the defendant is regularly permitted to leave the facility to go on what could be characterized as field trip type excursions for the day or a portion of the day, it is my understanding that in the past staff members have always accompanied the defendant during these trips outside the grounds of the holding facility. The government believes that the presence of a staff member(s) with the

defendant while he is away from the facility is a necessary security provision and therefore objects to the defendant leaving the facility without being accompanied by a staff member from the facility.

Respectfully submitted,

WILLIAM E. FITZPATRICK
Acting United States Attorney

/s/ *Patrick C. Askin*

By:

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cc (via email): Christopher O'Malley, Esq.
Gary Pettiford, Pre-Trial Services